

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

v.

Mena D Yousif,

Defendant.

Crim. No. 20-113(2) (DSD/BRT)

ARRAIGNMENT ORDER

A Superseding Indictment was filed on July 23, 2020, in the above matter. (Doc. No. 17.) The Defendant was arraigned on March 15, 2021. Defendant was present in court with her attorney Bruce Rivers, Esq. The Government was represented by Emily Polachek, Assistant United States Attorney.

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence- that is, evidence that favors the defendant or casts doubt on the United States' case, as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and **ORDERS** the United States to do so. Failure to do so in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.

Pursuant to Local Rule 12.1 (copy attached), IT IS FURTHER HEREBY ORDERED that:

1. The government must make all disclosures required by Federal Rule of Criminal Procedure 16(a) by **March 22, 2021**. D. Minn. LR 12.1(a)(1). In order to avoid the need for a recess of the motions hearing, the government is requested to make, by **March 22, 2021**, all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h).

2. Defendants must make all disclosures required by Federal Rule of Criminal Procedure 16(b) by **March 29, 2021**. D. Minn. LR 12.1(a)(2).

3. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **April 5, 2021**.¹ D. Minn. LR 12.1(c)(1). **Counsel are advised that Magistrate Judge Thorson does not require any courtesy copies related to pretrial motions. Counsel must electronically file a letter on or before April 5, 2021 if no motions will be filed and there is no need for hearing.**

4. All responses to motions must be filed by **April 19, 2021**. D. Minn. LR 12.1(c)(2).

5. Any Notice of Intent to Call Witnesses must be filed by **April 19, 2021**. D. Minn. LR. 12.1(c)(3)(A).

6. Any Responsive Notice of Intent to Call Witnesses must be filed by **April 22, 2021**. D. Minn. LR 12.1(c)(3)(B).

¹ “Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute.” D. Minn. LR 12.1(b).

7. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:
- a. The government makes timely disclosures and Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
 - b. Oral argument is requested by either party in its motion, objection or response pleadings.

8. In the event motions a hearing is required, the hearing will be set for **May 11, 2021, beginning at 10:00 a.m.** On or before **April 23, 2021**, counsel for the Defendant must file a letter on ECF indicating whether Defendant consents to hold the motions hearing in this matter via videoconference.

9. TRIAL

a. IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:
the following trial and trial-related dates are:

All voir dire questions, jury instructions, and trial related motions (including motions in limine) must be submitted to District Judge David S. Doty on or before **July 6, 2021**.

This case shall commence trial on **July 12, 2021, at 9:00 a.m.** before District Judge David S. Doty in Courtroom 14W, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

b. IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions.

Counsel must contact the Courtroom Deputy for District Judge David S. Doty to confirm the new trial date.

Dated: March 15, 2021

s/David T. Schultz

United States Magistrate Judge